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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,615	12/05/2003	Chin Ho So	50-101	2484
23843	7590	12/19/2005	EXAMINER	
FOOTHILL LAW GROUP, LLP 3333 BOWERS AVE., SUITE 130 SANTA CLARA, CA 95054			AVERY, BRIDGET D	
			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/728,615

Applicant(s)

SO ET AL.

Examiner

Bridget Avery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 14-27 is/are rejected.
- 7) ☒ Claim(s) 10-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: on line 5, --a— should be inserted before “first surface”. Appropriate correction is required.
2. Claim 2 is objected to because of the following informalities: on line 2, --said— should be inserted before “second”. Appropriate correction is required.
3. Claim 2 is objected to because of the following informalities: on line 3, --said— should be inserted before “second”. Appropriate correction is required.
4. Claim 7 is objected to because of the following informalities: on line 2, “adopted” should be changed to --adapted—. Appropriate correction is required.
5. Claim 12 is objected to because of the following informalities: line 1-2, recite “two depressions” which appear to be the same element as the “arcuate channel”. Further, the Examiner was unable to find any disclosure of “depressions” in applicant’s specification. Appropriate correction is required.
6. Claim 17 is objected to because of the following informalities: on line 1, “hinged-couple” should be changed to --coupled by a hinge—. Appropriate correction is required.
7. Claim 20 is objected to because of the following informalities: on line 1, --said-- should be inserted before “inner”. Appropriate correction is required.
8. Claim 20 is objected to because of the following informalities: on line 2, —bag-- adopted” should be inserted after “golf”. Appropriate correction is required.

9. Claim 27 is objected to because of the following informalities: on line 2, --a— should be inserted before “portion”. Appropriate correction is required.
10. Claim 27 is objected to because of the following informalities: on line 2, --a— should be inserted before “position”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 3, 5, 8 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
12. In claim 3, applicant's recitation of “said extension is cylindrically or conically shaped” is indefinite and lacks sufficient antecedent basis for this limitation in the claim.
13. Claim 5 recites the limitation “said extension” in line 2. There is insufficient antecedent basis for this limitation in the claim.
14. Claim 8 recites the limitation “said fastener” in line 1. There is insufficient antecedent basis for this limitation in the claim.
15. Claim 14 recites the limitation “said at least two depressions” in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 1, 5, 7, 9, 14-16, 17, 20-23 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Thompson (US Patent 5,267,750).

Thompson teaches a golf bag including: a golf bag body (12) with an open top and a rim (14) around the open top, a closed bottom (16), a generally circular wall connecting the bottom (16) and the rim (14) and having an inner surface and an outer surface, an inner empty space adapted for receiving at least one golf club, and a reinforced region (153); the reinforced region (153) having first surface and second surface; the first surface of the reinforced region (153) coupled to the golf bag body (12); an external arm member (154) being detachably and rotatably coupled to the second surface of the reinforced region (153) of the golf bag (12) and having a first end and a second end, the external arm member (154) being of a geometric shape suitable for fastening; a first wheel support (158) and a second wheel support (158), the wheel supports (158) having a first end and a second end, the first end of the first wheel support lockably coupled to the first end of the external arm member and the first end of the second wheel support lockably coupled to the second end of the external arm member; the wheel supports (158) being movable in the direction of the external arm member (154) and away from the external arm member (154) by pivoting the wheel supports (158) at the point where the wheel supports (158) couple to the external arm

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member (154), as shown in Figures 20 and 21; wheel members (70) rotatably coupled to the second ends of the first and the second wheel supports (158), and handle means (40) coupled to the golf bag (12). The external arm member (154) is detachably and rotatably coupled to an extension (shown at 193) in the reinforced region (153). The extension (193) further defines a void in the extension, the void being adapted for receiving a fastener (190) for coupling the external arm member (154) to the second surface of the reinforced region (153). Re claims 20-22 see column 6, lines 3-16 and Figures 4-7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 1-5, 7, 9, 14-16, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartzell (2,760,782).

Hartzell teaches a golf bag including: a golf bag body (10) with an open top and a rim (19) around the open top, a closed bottom (14), a generally rectangular wall connecting the bottom and the rim and having an inner surface and an outer surface, an inner empty space adopted for receiving at least one golf club, and a reinforced region (37); the reinforced region (37) having first surface and second surface; the first surface of the reinforced region (37) coupled to the golf bag body (10); an external arm member

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(39) being detachably and rotatably coupled to the second surface of the reinforced region (37) of the golf bag (10) and having a first end and a second end, the external arm member (39) being of a geometric shape suitable for fastening; a first wheel support (51) and a second wheel support (52), the wheel supports (51, 52) having a first end and a second end, the first end of the first wheel support (51) lockably coupled to the first end of the external arm member (39) and the first end of the second wheel support (52) lockably coupled to the second end of the external arm member (39); the wheel supports (51, 52) being movable in the direction of the external arm member (39) and away from the external arm member (39) by pivoting the wheel supports (51, 52) at the point where the wheel supports (51, 52) couple to the external arm member (39); wheel members (60, 61) rotatably coupled to the second ends of the first and the second wheel supports (51, 52), and handle means (67) coupled to the golf bag (10). The reinforced region (37) further includes an extension (40) having a length and originating at second surface of the reinforced region (37) and extending generally vertically and away from second surface of the reinforced region (37), the length of the extension (40) being longer than the dimension of the external arm member (39) where the external arm member (39) couples to the extension (40), the extension (40) terminating in a surface adopted for receiving the external arm member (39). The extension (40) is cylindrically shaped. The external arm member (39) is of rectangular shape and having a top surface, bottom surface, left end, right end, front end and back end. The external arm member (39) is detachably and rotatably coupled to the extension (40) in the reinforced region (37). The extension (40) further defines a void in

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the extension (40), the void being adopted for receiving a fastener for coupling the external arm member (39) to the second surface of the reinforced region (37). A spacer (45) is fitted between the external arm member (154) and the fastener, the spacer (45) further defining a void therein for receiving the fastener (43). Re claims 14 and 15, the examiner notes the voids filled by rivet (50) and pin (41). See opening (44). Re claim 23, see column 1, lines 61-64.

18. Claims 6, 8, 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartzell ('782) in view of Hoff (US Patent 4,735,425).

Hartzell teaches the features described above. Hartzell further teaches a latched cover (16).

Hartzell is silent regarding the rotation limit of the external arm, lacks the teaching of a screw and lacks the teaching of the reinforced region being an integral part of the golf bag or the golf bag wall.

Hoff teaches screw threads (46).

Based on the teaching of Hoff, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add threads to the pin of Hartzell to stabilize the coupled parts against movement. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to limit rotation of the external arm to 180 degrees, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to

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make the reinforced region as an integral part of the golf bag or the golf bag wall, since it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art.

19. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson ('750) in view of Chan (US Patent 6,299,195).

Thompson teaches the features described above.

Thompson lacks the teaching of at least one brake.

Chan teaches a brake.

Based on the teachings of Chan, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add a brake to maintain the golf bag stationary.

20. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartzell ('782) in view of Chan (US Patent 6,299,195).

Hartzell teaches the features described above.

Hartzell lacks the teaching of at least one brake.

Chan teaches a brake.

Based on the teachings of Chan, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add a brake to maintain the golf bag stationary.

21. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartzell ('782) in view of Hoff (US Patent 4,735,425).

Hartzell teaches the features described above.

Hartzell lacks the teaching of a zippered cover.

Liao et al. teaches a zipper (27).

Based on the teachings of Liao et al., it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to replace the latch with a zipper to permit opening and closing of the cover in opposite direction simultaneously for the ease of wheel storage.

22. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartzell ('782) in view of Homoly (US Patent 6,595,356).

Hartzell teaches the features described above.

Hartzell lacks the teaching of at least one wheel opposite from the reinforced surface.

Homoly teaches a transverse case including at least one wheel.

Based on the teachings of Homoly, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add a transfer case including at least one additional wheel to the golf bag of Hartzell to permit transporting of the golf bag without tilting to reduce fatigue.

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23. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson ('750) in view of Homoly (US Patent 6,595,356).

Thompson teaches the features described above.

Thompson lacks the teaching of at least one wheel opposite from the reinforced surface.

Homoly teaches a transverse case including at least one wheel.

Based on the teachings of Homoly, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add a transfer case including at least one additional wheel to the golf bag of Thompson to permit transporting of the golf bag without tilting to reduce fatigue.

Allowable Subject Matter

24. Claims 10-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Blomgren shows a golf bag carrier.

Kim shows a combined golf bag and collapsible golf cart.

Park shows a golf cart.

Rosen shows a golf cart.

Rosen shows another golf cart.

McDonnell shows a combination golf caddie car and golf bag.

Skyock shows a combination golf bag and cart.

Romang shows a golf bag.

Gunning shows a golf bag carrier.



Burt shows conveying attachment for golf bags.

Lathrop shows a golf bag.

26. Any inquiry concerning this communication should be directed to Bridget Avery at telephone number 571-272-6691.


Avery

December 12, 2005

 
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DEPARTMENT OF CITY PLANNING
TECHNICAL SERVICES